

## *St. Louis City Ordinance 62901*

FLOOR SUBSTITUTE

BOARD BILL NO. [93] 41

INTRODUCED BY ALDERMAN ROBERT RUGGERI

An ordinance recommended by the Board of Public Service to vacate all public rights, including all public surface rights for vehicle, equestrian and pedestrian travel, if any, in a strip of land being approximately a 70'+/ 30' wide portion along Manchester Avenue from Ecoff Avenue eastwardly 3300'+/ 200', along with an adjoining parcel of land being approximately 200' x 80' wide (both formerly Missouri Pacific Railroad right-of-way), in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, in conformity with Section 14 of Article XXI of the Charter, and pursuant to the Tax Increment Blighting Analysis and Redevelopment Plan for the Scullin Redevelopment Project Area dated March 30, 1990 (as amended, the "Plan"), that certain Redevelopment Contract between the City, Midland Equities, Inc. and St. Louis Marketplace Limited Partnership, and that certain Public Improvements Agreement between the City, Midland Equities, Inc. and the Missouri Pacific Railroad Company, both dated as of June 1, 1992; together with an emergency provision.

WHEREAS, pursuant to the Plan, the Public Improvements Agreement and the Redevelopment Contract, the City determined it must acquire certain real estate more particularly described therein as the Existing Right-of-Way and the Fee Parcel (collectively, the "Roadway Area"), for the purpose of constructing certain roadway improvements as provided for in the Plan (the "Roadway Improvements").

WHEREAS, upon completion of construction of the Substitute Railroad Facility (as defined in the Public Improvements Agreement), the Missouri Pacific Railroad Company conveyed title to the Roadway Area to Midland, and Midland simultaneously conveyed title to the Roadway Area to the City.

WHEREAS, upon acquisition of the Roadway Area, the City, acting by and through its Board of Public Service pursuant to the Redevelopment Contract, caused the existing improvements in the Roadway Area to be demolished and constructed certain Roadway Improvements on a portion of said Roadway Area as provided for in the Plan.

WHEREAS, pursuant to the Plan and the Public Improvements Agreement, the City agreed to cooperate in connection with the vacation or conveyance of any portion of the Roadway Area which was not necessary for the purpose of widening Manchester Avenue.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE:

Petitioner is Midland Equities, Inc. ("Midland"). Vacation as provided for in Section Two will allow for the consolidation of property in conjunction with St. Louis Marketplace Shopping Center as contemplated by the Plan, the Public Improvements Agreement and the Redevelopment Contract.

SECTION TWO:

The necessary removal and relocation of all water and lighting facilities, and all necessary adjustments to the City's streets, including curbs, sidewalks, driveways, roadway drainage connections and inlets, grading, paving sidewalks and roadways and road signage in the Roadway Area having been completed, all rights of the public, including all public surface rights of vehicle, equestrian and pedestrian travel, if any, in the following described portions of the Roadway Area are hereby vacated:

(1) A tract of land being part of the former Missouri Pacific Railroad right-of-way, 100 feet wide, and Block 4627E in the City of St. Louis Missouri and being more particularly described as follows.

Commencing at the intersection of the east line of Ecoff Avenue, 40 feet wide with the north line of the Missouri Pacific Railroad, as aforementioned, thence along said north line in a northeasterly direction along a curve to the right an arc distance of 16.05 feet, having a radius of 3,869.83 feet and a chord that bears north 53 degrees 05 minutes 46 seconds east, 16.05 feet to the point of beginning of the herein described tract of land; thence continuing along said north line of the Missouri Pacific Railroad along said curve to the right an arc distance of 465.24 feet, having a radius of 3,869.83 feet and a chord that bears north 56 degrees 39 minutes 33 seconds east, 464.96 feet to a point; thence north 67 degrees 15 minutes 39 seconds east, 516.73 feet thence north 67 degrees 46 minutes 28 seconds east, 2,075.76 feet; thence north 22 degrees 13 minutes 32 seconds west, 10.00 feet; thence north 67 degrees 46 minutes 28 seconds east, 428.60 feet; thence in a southwesterly direction along a curve to the left an arc distance of 372.63 feet, having a radius of 2,929.93 feet and a

chord that bears south 55 degrees 22 minutes 07 seconds west, 372.38 feet to the south line of Missouri Pacific Railroad, as aforementioned, thence along said south line the following south 67 degrees 46 minutes 28 seconds west, 2,140.82 feet to a point of curve; thence along said curve to the left an arc distance of 901.10 feet, having a radius of 3,769.83 feet and a chord that bears south 60 degrees 55 minutes 36 seconds west, 898.96 feet; thence south 63 degrees 28 minutes 21 seconds west, 56.47 feet; thence departing said south line north 40 degrees 10 minutes 13 seconds west, 67.33 feet to a point of curve; thence along said curve to the right an arc distance of 23.43 feet, having a radius of 67.00 feet and a chord that bears north 30 degrees 09 minutes 04 seconds west, 23.31 feet to the point of beginning and containing 5.7329 acres.

(2) A tract of land being part of the former Missouri Pacific Railroad right-of-way and Out Lot 95 of the City of St. Louis, Missouri and being more particularly described as follows.

Beginning at the intersection of the Eastern line of Ecoff Avenue, 60 feet wide with the Southern line of Missouri Pacific Railroad, 100 feet wide; thence along Eastern line of Ecoff Avenue, Variable width, North 40 degrees 10 minutes 13 seconds West, 9.64 feet to the Southern line of the Missouri Pacific Railroad; thence along the Southern line of Railroad North 63 degrees 28 minutes 21 seconds East, 56.47 feet to a point on a curve, thence along the Southern line of said Railroad along a curve to the right having a radius of 3769.83 feet and an arc distance of 145.00 feet with a chord of North 55 degrees 10 minutes 52 seconds East, 144.99 feet; thence South 02 degrees 48 minutes 46 seconds East, 80.00 feet; thence South 54 degrees 45 minutes 47 seconds West, 199.98 feet to the Eastern line of aforesaid Ecoff Avenue, 60 feet wide; thence along the Eastern line of Ecoff Avenue North 02 degrees 48 minutes 46 seconds West, 80.00 feet to the point of beginning containing 13,942 square feet or 0.3201 Acres.

### SECTION THREE:

This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and shall become effective immediately upon its passage and approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
05/06/93	05/06/93	STR		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
06/11/93			06/17/93	06/25/93
ORDINANCE	VETOED		VETO OVR	
62901				